



GARY R. HERBERT  
Governor

GREGORY S. BELL  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

March 17, 2011

CERTIFIED RETURN RECEIPT  
7009 3410 0001 4203 1508

Mark Willes  
BMW Stone, Inc.  
2565 State Road 32  
Wanship, Utah 84017-9747

Subject: Notice of Cancellation/Termination of Letter of Credit Number BMW Stone.  
Brown's Canyon Quarry, M/043/0021, Summit County, Utah

Dear Mr. Willes:

Please review the enclosed notice of non-renewal notification from Zions Bank indicating letter of credit in the amount of \$85,900.00 for the Brown's Canyon Rock Quarry will not be renewed. According to the terms of the letter of credit (LOC), the bank may elect not to renew as long as a ninety (90) day notice is given to the Division. These terms have been met; therefore, effective June 12, 2011, the LOC will be not be renewed. Paragraph 5 of the Reclamation Contract, states the operator shall provide a replacement surety within sixty (60) days following the Division's receipt of the cancellation/termination notice.

You are hereby advised that **the Division must receive a replacement form of surety on or before May 13, 2011**, or the Division will be forced to do any/some of the following:

- Carry out the terms of LOC number
- Submit a request to the Board of Oil, Gas and Mining to withdraw the permit
- Order the cessation of mining operations
- Order immediate reclamation of all lands affected

If you have questions or require assistance regarding the surety, please contact Penny Berry (801) 538-5291 or email [bondcoordinator@utah.gov](mailto:bondcoordinator@utah.gov). Thank you in advance for your prompt attention to this important permitting requirement.

Sincerely,

Paul Baker  
Minerals Program Manager

PBB:pb

Enclosure: Notice of Non-Renewal  
Letter to Zions Bank

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